# Gazette of the United States.

PUBLISHED WEDNESDAYS AND SATURDAYS BY *JOHN FENNO*, No. 69, *HIGH-STREET*, BETWEEN *SECOND* AND *THIRD STREETS*, PHILADELPHIA.

[No. 87, of Vol. II.] SATURDAY, FEBRUARY 26, 1791. [Whole No. 191.]


## Diſcourſes on Davila.—No. 24.

*(Continued from No. 63 of this Gazette.)*

AFFAIRS had now taken a new face. It was eaſy to foreſee, that the animoſities of the two factions would never be extinguiſhed but by arms—and that the tempeſt which had long grumbled in the air, would ſoon pour upon their heads. Accident ſoon produced a favorable conjuncture for precipitating France into the greateſt misfortunes. The King of Navarre, having declared himſelf openly for the Catholic party, fixed his reſidence at Paris. This city, ſituated in the centre of France, is much more populous, more rich, more magnificent and more powerful, than any other in the kingdom. This Prince, believing that the other cities would eaſily conform to the example of the capital, forgot nothing to hinder the Hugonots from holding their aſſemblies, and preaching their ſermons there; in which the Pariſians in general, enemies of the reformation, ſeconded him with zeal. By this means he hoped in time to diminiſh inſenſibly the credit and the forces of the Proteſtants, and take away their liberty of conſcience, which alone ſupported their exiſtence. The Prince of Conde reſided alſo at Paris, where he promoted and fomented the deſigns of the Hugonot miniſters. Under the pretext of cauſing to be obſerved the edict of January, he extended from day to day the liberty of conſcience; and, whether by power or by right, arrogated to himſelf a great authority in what reſpected the State. The King of Navarre, animated equally againſt his brother by a love of repoſe, and by jealouſy, reſolved to compel him to go out of Paris. Several other motives determined him to put an end to troubles and ſeditions, as well as conventicles, in a city which was the firmeſt ſupport of the Catholic party; but whether he felt himſelf too weak to attempt ſuch an enterprize alone, or whether he wiſhed to conſult his confederates before he executed any thing, he invited the Duke of Guiſe and the Conſtable to come and join him, with their partiſans.

The Duke of Guiſe, ſince his retirement from Court, reſided at Joinville, one of his country ſeats, upon the frontiers of Champaine and Picardy. Upon the invitation of the King of Navarre, he departed for Paris, accompanied by the Cardinal his brother, a numerous retinue of gentlemen attached to his intereſts, and two companies of men in arms. The firſt of March, in the morning, as he paſſed by Vaſſi, a little city in Champaine, his people heard an unuſual ringing of bells, and having aſked the reaſon of it, were told that it was the ſignal of a ſermon at which the Hugonots aſſembled. The valets and footmen of the Duke, who were moſt forward on the road, excited by the ſingularity of the thing, and by curioſity to ſee one of theſe aſſemblies, which were but lately begun to be holden publicly, advanced in a tumult, uttering their coarſe jokes, towards the place where the Hugonots were aſſembled to hear their miniſters. The Calviniſts underſtanding that the Duke of Guiſe, whom they regarded as one of their moſt ardent perſecutors, was not far off, and ſeeing a troop of his people coming directly to them, whether they dreaded ſome inſult, or whether they were piqued at the rude railleries and ſcornful ſpeeches of this ſervile mob, they anſwered by acts of violence, pelting with ſtones the firſt who were advancing towards their congregation.

This is the account of Davila—and at this day it may be of as little conſequence to enquire which ſide began to uſe force, as to aſcertain which party fired the firſt gun at our Lexington.

When a nation is prepared for a civil war, when parties are formed and paſſions enflamed, which can be extinguiſhed no other way, it is, only for the ſake of popularity, neceſſary to enquire which ſtrikes the firſt blow. But in our American revolution, we know it was the party who were in the habit of domineering who began—and ſuch is commonly the caſe. Moſt probably De Thou is in the right for the ſame reaſon—who aſſerts that the Duke of Guiſe's ſervants threw the firſt ſtones; and if this was done without the Duke's orders, it is certain that his mother, a bigotted furious Catholic, had often entreated him to deliver her from the neighbourhood of the Proteſtants of Vaſſi; and very probably ſhe had enflamed his whole family againſt them. However this might be, the Catholics abandoned all their prudence and attacked the Proteſtants, ſword in hand, and the ſkirmiſh ſoon became furious. The Duke, informed of the tumult, and wiſhing to appeaſe it, ran in all haſte and ruſhed into the midſt of the combatants—while he reprimanded his own people, and exhorted the Hugonots to retire, he was ſlightly wounded by the ſtroke of a ſtone upon his left jaw. The blood which he loſt obliged him to retire from the uproar, when his followers, growing outrageous, had recourſe to fire-arms, forced the houſe where the Calviniſts had baricadoed themſelves, killed more than ſixty of them; and their miniſter, dangerouſly wounded, eſcaped with great difficulty over the roofs of the nighbouring houſes. When the commotion was aſſuaged, the Duke of Guiſe ſent for the Judge of the place, and reprimanded him for tolerating ſuch conventicles. The Judge excuſed himſelf, becauſe theſe aſſemblies were permitted by the edict of January. The Duke, as much enraged at this anſwer as at the diſorder which occaſioned it, laid his hand on the hilt of his ſword, and replied, with great fury, "The edge of this iron ſhall ſoon deliver us from that edict which they think ſo ſolidly eſtabliſhed." Theſe words, uttered in the ardour of his indignation, did not eſcape the attention of thoſe who heard them—and in the ſequel he was accuſed of being the Boutefeu, and the author of the civil wars.

The Hugonots, irritated by the maſſacre at Vaſſi, could no longer contain themſelves within the bounds of moderation—not content with the exceſſes committed by them in ſeveral cities of the kingdom, and eſpecially in Paris, where they had maſſacred ſeveral Catholics, and ſet fire to the church of St. Medard; they liſtened only to their own rage, and excited every where troubles and bloody ſeditions; monaſteries were pillaged, images broken, altars overturned, and churches profaned. Theſe exceſſes, on both ſides, embittered mens' minds, and they ruſhed every where to arms. The chiefs of the two parties, agitated by the ſame motives, aſſembled their forces and prepared openly for war. But the leaders of both factions were not ignorant that, in the actual ſtate of things, they could not take arms without rendering themſelves guilty of rebellion, and that there was neither pretext nor colour which could authorize any meaſures which tended to war, The Catholics could not interrupt the execution of the edict of January, without controverting openly the deciſions of the council, and wounding the royal authority from which this edict had iſſued. The Hugonots had no reaſonable motive to revolt, while they were protected and allowed to enjoy the liberty of conſcience granted them by that edict. The leaders of each party deſired *to draw the King to their ſide, and to become maſters of his perſon*, either to aboliſh the edict, or to derive new advantages from it, in order to prove that their cauſe was the moſt juſt—and that it was the oppoſite party which erected the ſtandard of revolt, by oppoſing the apparent will of the Sovereign, and by attacking even his perſon.

---

## CONGRESS.

### HOUSE OF REPRESENTATIVES.

THURSDAY, Feb. 3.

*The BANK BILL under conſideration.*

MR. AMES: Little doubt remains with reſpect to the utility of Banks. It ſeems to be conceded within doors and without, that a public Bank would be uſeful to trade, that it is almoſt eſſential to revenue, and that it is little ſhort of indiſpenſible neceſſity in times of public emergency. In countries whoſe forms of government left them free to chuſe, this inſtitution has been adopted of choice, and in times of national danger and calamity it has afforded ſuch aid to government as to make it appear, in the eyes of the people, a neceſſary means of ſelf preſervation. The ſubject, however intricate in its nature, is at laſt cleared from obſcurity. It would not be difficult to eſtabliſh its principles, and to deduce from its theory, ſuch conſequences as would vindicate the policy of the meaſure. But why ſhould we loſe time to examine the theory, when it is in our power to reſort to experience? After being tried by that teſt, the world has agreed in pronouncing the inſtitution excellent. This new capital will invigorate trade and manufactures with new energy. It will furniſh a medium for the collection of the revenues; and if government ſhould be preſſed by a ſudden neceſſity, it will afford ſeaſonable and effectual aid. With all theſe and many other pretenſions, if it was now a queſtion whether Congreſs ſhould be veſted with the power of eſtabliſhing a Bank, I truſt that this houſe and all America would aſſent to the affirmative.

This however is not a queſtion of expediency, but of duty. We are not at liberty to examine which of ſeveral modes of acting is entitled to the preference. But we are ſolemnly warned againſt acting at all. We are told that the conſtitution will not authoriſe Congreſs to incorporate the ſubſcribers to the Bank. Let us examine the conſtitution, and if that forbids our proceeding, we muſt reject the bill; though we ſhall do it with deep regret that ſuch an opportunity to ſerve our country muſt be ſuffered to eſcape, for the want of a conſtitutional power to improve it.

The gentleman from Virginia conſiders the oppoſers of the bill as ſuffering diſadvantage, becauſe it was not debated as bills uſually are in the committee of the whole houſe. He has prepared us to pronounce an eulogium upon his conſiſtency, by informing us that he voted in the old Congreſs againſt the Bank of North America, on the ground of his preſent objection to the conſtitutionality. He has told us that the meaning of the conſtitution is to be interpreted by cotemporaneous teſtimony. He was a member of the convention which formed it, and of courſe his opinion is entitled to peculiar weight. While we reſpect his former conduct, and admire the felicity of his ſituation, we cannot think he ſuſtains diſadvantage in the debate. Beſides, he muſt have been prepared with objections to the conſtitutionality, becauſe he tells us they are of long ſtanding, and had grown into a ſettled habit of thinking. Why then did he ſuffer the bill to paſs the committee in ſilence? The friends of the bill have more cauſe to complain of diſadvantage; for while he has had time to prepare his objections, they are obliged to reply to them without premeditation.

In making this reply, I am to perform a taſk for which my own mind had not admoniſhed me to prepare. I never ſuſpected that the objections I have heard ſtated had exiſtence: I conſider them as diſcoveries; and had not the acute penetration of that gentleman brought them to light, I am ſure that my own underſtanding would never have ſuggeſted them.

It ſeems ſtrange too that in our enlightened country, the public ſhould have been involved in equal blindneſs. While the exerciſe of even the lawful powers of government is diſputed—and a jealous eye is fixed on its proceedings; not a whiſper has been heard againſt its authority to eſtabliſh a bank: Still, however unſeaſonably, the old alarm of public diſcontent is ſounded in our ears.

Two queſtions occur: May Congreſs exerciſe any powers which are not expreſsly given in the conſtitution; but may be deduced by a reaſonable conſtruction of that inſtrument? And ſecondly, will ſuch a conſtruction warrant the eſtabliſhment of the Bank?

The doctrine that powers may be implied which are not expreſsly veſted in Congreſs has long been a bugbear to a great many worthy perſons. They apprehend that Congreſs by putting conſtructions upon the conſtitution, will govern by its own arbitrary diſcretion; and therefore, that it ought to be bound to exerciſe the powers *expreſsly* given, and thoſe only.

If Congreſs may not make laws conformably to the powers plainly implied, tho not expreſſed in the frame of government, it is rather late in the day to adopt it as a principle of conduct: A great part of our two year's labor is loſt, and worſe than loſt to the public, for we have ſcarcely made a law in which we have not exerciſed our diſcretion with regard to the true intent of the conſtitution. Any words but thoſe uſed in that inſtrument will be liable to a different interpretation. We may regulate trade—therefore we have taxed ſhips, erected light-houſes, made laws to govern

ſeamen, &c. becauſe we ſay that they are the incidents to that power: The moſt familiar and undiſputed acts of legiſlation will ſhew, that we have adopted it as a ſafe rule of action to legiſlate beyond the letter of the conſtitution.

He proceeded to enforce this idea by ſeveral conſiderations, and illuſtrated it by various examples. He ſaid that the ingenuity of man was unequal to providing, eſpecially before hand, for all the contingencies that would happen. The conſtitution contains the principles which are to govern in making laws; but every law requires an application of the rule to the caſe in queſtion. We may err in applying it; but we are to exerciſe our judgments, and on every occaſion to decide according to an honeſt conviction of its true meaning.

The danger of implied power does not ariſe from its aſſuming a new principle: We have not only practiſed it often; but we can ſcarcely proceed without it: Nor does the danger proceed ſo much from the extent of the power, as from its uncertainty. While the oppoſers of the Bank exclaim againſt the exerciſe of this power by Congreſs, do they mark out the limits of the power which they will leave to us, with more certainty than is done by the advocates of the Bank? Their rules of interpretation by co-temporaneous teſtimony, the debates of conventions, and the doctrine of ſubſtantive and auxiliary powers, will be found as obſcure, and of courſe as formidable, as that which they condemn: They only ſet up one conſtruction againſt another.

The powers of Congreſs are diſputed: We are obliged to decide the queſtion according to truth. The negative, if falſe, is leſs ſafe than the affirmative if true: Why then ſhall we be told, that the negative is the ſafe ſide? Not exerciſing the powers we have, may be as pernicious, as uſurping thoſe we have not. If the power to raiſe armies had not been expreſſed in the enumeration of the powers of Congreſs, it would be implied from other parts of the conſtitution. Suppoſe, however, that it were omitted, and our country invaded, Would a deciſion in Congreſs againſt raiſing armies be ſafer than the affirmative? The blood of our citizens would be ſhed, and ſhed unavenged. He thought therefore, that there was too much prepoſſeſſion with ſome againſt the Bank, and that the debate ought to be conſidered more impartially, as the negative was neither more ſafe, certain, nor conformable to our duty, than the other ſide of the queſtion. After all, the proof of the affirmative impoſed a ſufficient burden, as it is eaſier to raiſe objections than to remove them. Would any one doubt that Congreſs may lend money—that they may buy their debt in the market, or redeem their captives from Algiers?. Yet no ſuch power is expreſsly given, tho it is irreſiſtably implied.

If therefore ſome interpretation of the conſtitution muſt be indulged, by what rules is it to be governed? The great end of every aſſociation of perſons or States, is, to effect the end of its inſtitution. The matter in debate affords a good illuſtration: A corporation, as ſoon as it is created, has certain powers, or qualities, tacitly annexed to it, which tend to promote the end for which it was formed—ſuch as, for example, its individuality—its power to ſue, and be ſued—and the perpetual ſucceſſion of perſons. Government is itſelf the higheſt kind of corporation, and from the inſtant of its formation, it has tacitly annexed to its being, various powers which the individuals who framed it did not ſeparately poſſeſs, but which are eſſential to its effecting the purpoſes for which it was framed—to declare, in detail, every thing that government may do, could not be performed, and has never been attempted: It would be endleſs, uſeleſs, and dangerous—exceptions of what it may not do, are ſhorter and ſafer.

Congreſs may do what is neceſſary to the end for which the conſtitution was adopted, provided it is not repugnant to the natural rights of man, or to thoſe which they have expreſsly reſerved to themſelves, or to the powers which are aſſigned to the States: This rule of interpretation ſeems to be a ſafe, and not a very uncertain one, independently of the conſtitution itſelf: By that inſtrument certain powers are ſpecifically delegated, together with all powers neceſſary and proper to carry them into execution: That conſtruction may be maintained to be a ſafe one which promotes the good of the ſociety, and the ends for which the government was adopted, without impairing the rights of any man, or the powers of any State.

This, he ſaid, was remarkably true of the Bank—no man could have cauſe to complain of it; the bills would not be forced upon any one. It is of the firſt utility to trade. Indeed the intercourſe from State to State can never be on a good footing without a Bank; whoſe paper will circulate more extenſively than that of any State Bank. Whether the power to regulate trade from State to State will involve that of regulating inland bills of exchange and bank paper, as the inſtruments of the trade and incident to the power, he would not pauſe to examine. That is an injury and wrong which violates the right of another. As the Bank is founded on the free choice of thoſe who make uſe of it, and is highly uſeful to the people, and to government, a liberal conſtruction is natural and ſafe. This circumſtance creates a preſumption in favor of its conformity to the conſtitution. This preſumption is enforced by the neceſſity of a Bank to other governments. The moſt orderly governments in Europe have Banks. They are conſidered as indiſpenſibly neceſſary; theſe examples are not to be ſuppoſed to have been unnoticed. We are to pay the intereſt of our debt in 13 places. Is it poſſible to tranſport the revenue from one end of the continent to the other: Nay, a week before the quarter's intereſt becomes due, transfers may be made which will require double the ſum in Boſton which was expected. To guard againſt this danger, an extra ſum muſt be depoſited at the different loan-offices. This extra ſum is not to be had; our revenue is barely equal to the intereſt due. This impoſes an abſolute neceſſity upon the government to make uſe of a Bank. The anſwer is, that the State Banks will ſupply this aid. This is riſking a good deal to the argument againſt the Bank; for will they admit the neceſſity and yet deny to the government the lawful and only adequate means of providing for it. Ten of the States have no Banks; thoſe who have may aboliſh theirs, or ſuffer their charters to expire. But the State Banks are inſufficient to the purpoſe—their paper has not a ſufficient circulation—of courſe their capitals are ſmall. Congreſs is allowed to have a complete legiſlative power over its own finances; and yet without the courteſy of the States it cannot be exerciſed. This ſeems to be inconſiſtent.

If a war ſhould ſuddenly break out, how is Congreſs to provide for it? Perhaps Congreſs would not be ſitting; great expences would be incurred, and they muſt inſtantly be provided for. How is this to be done—by taxes? And will the enemy wait till they can be collected? by loans at home? Our citizens would employ their money in war ſpeculations, and they are not individually in a condition to lend a ſufficient ſum in ſpecie—or ſhall we ſend acroſs the ſea for loans? The diſpute between England and Spain furniſh an example; the aid of their Banks for ſeveral millions was prompt and effectual. Or will you ſay that Congreſs might iſſue paper money? That power, ruinous and fallacious as it is, is deduced from implication, for it is not expreſsly given. A Bank only can afford the neceſſary aid in time of ſudden emergency. If we have not the power to eſtabliſh it, our ſocial compact is incomplete, we want the means of ſelf preſervation.

I ſhall perhaps be told, that neceſſity is the tyrant's plea. I anſwer that it is a miſerable one, when it is urged to palliate the violation of private right. Who ſuffers by this uſe of our authority? Not the *States*, for they are not warranted to eſtabliſh a national Bank: Not *individuals*, for they will be aſſiſted in trade and defended from danger by it.

Having endeavored to enforce his argument by noticing the uſes of Banks to trade, to revenue, to credit, and in caſes of exigency, he adverted to the authority of our own precedents: Our right to govern the Weſtern Territory is not diſputed. It is a power which no ſtate can exerciſe: It *muſt* be exerciſed, and therefore it reſides in Congreſs. But how does Congreſs get this power? It is not expreſsly given in the Conſtitution, but is derived either from the nature of the caſe, or by implication from the power to regulate the property of the United States. If the power flows from the nature and neceſſity of the caſe, it may be demanded, Is there not equal authority for the Bank? If it is derived from the power of Congreſs to regulate the territory and other property of the United States, and to make all needful rules and regulations concerning it, and for the diſpoſal of it, a ſtrict conſtruction would reſtrain Congreſs merely to the management and diſpoſal of property, and of its own property: Yet it is plain, that more is intended. Congreſs has accordingly made rules not only for governing its own property, but the property of the perſons reſiding there: It has made rules which have no relation to property at all—for puniſhing crimes: In ſhort it exerciſes all power in that territory: Nay, it has exerciſed this very power of creating a corporation: The government of that territory is a corporation—and who will deny that Congreſs may lawfully eſtabliſh a Bank beyond the Ohio? It is fair to reaſon by analogy from a power which is unqueſtionable, to one which is the ſubject of debate.

He then aſked, whether it appeared on this view of the ſubject, that the eſtabliſhment of a National Bank would be a violent miſ-interpretation of the Conſtitution. He did not contend for an arbitrary unlimited diſcretion in the government to do every thing: He took occaſion to proteſt againſt ſuch a miſ-conception of his argument. He had noticed the great marks by which the conſtruction of the Conſtitution, he conceived, muſt be guided and limited—and theſe, if not abſolutely certain, were very far from being arbitrary or unſafe: It is for the houſe to judge, whether the conſtruction which denies the power of Congreſs, is more definite and ſafe.

In proving that Congreſs may exerciſe powers which are not *expreſsly* granted by the conſtitution, he had endeavoured to eſtabliſh ſuch rules of interpretation, and had illuſtrated his ideas by ſuch obſervations, as would anticipate, in a conſiderable degree, the application of his principles to the point in queſtion. Before he proceeded to the conſtruction of the clauſes of the conſtitution which apply to the argument, he obſerved that it would be proper to notice the qualities of a corporation, in order to take a more exact view of the controverſy.

He adverted to the individuality and the perpetuity of a corporation, and that the property of the individuals ſhould not be liable for the debts of the Bank or Company. Theſe qualities are not more uſeful to the corporation than conformable to reaſon: but government, it is ſaid, cannot create theſe qualities. This is the narrow of the argument: For Congreſs may ſet up a Bank of its own, to be managed as public property, to iſſue notes which ſhall be received in all payments at the treaſury, which ſhall be exchangeable into ſpecie on demand, and which it ſhall be death to counterfeit. Such a bank would be leſs ſafe and leſs uſeful than one under the direction of private perſons—yet the power to eſtabliſh it is indiſputable. If Congreſs has authority to do this buſineſs illy, the queſtion returns, whether the powers of a corporation, which are eſſential to its being well done, may be annexed as incident to it. The bank of New-York is not a corporation, yet its notes have credit. Congreſs may agree with that bank, or with a company of merchants, to take their notes, and to cauſe all payments to paſs through their coffers. Every thing that government requires of and will perform to the bank, may be lawfully done without giving them corporate powers—but to do it well, ſafely and extenſively, thoſe powers are indiſpenſible. This ſeems to bring the debate within a very narrow compaſs.

This led him to conſider whether the corporate powers are incidental to thoſe which Congreſs may exerciſe by the conſtitution.

He entered into a diſcuſſion of the conſtruction of that clauſe which empowers Congreſs to regulate the territory and other property of the United States. The United States may hold property—may diſpoſe of it—they may hold it in partnerſhip—they may regulate the terms of the partnerſhip. One condition may be, that the common ſtock only ſhall be liable for the debts of the partnerſhip, and that any purchaſer of a ſhare ſhall become a partner. Theſe are the chief qualities of a corporation. It ſeems that Congreſs, having power to make all needful rules and regulations for the property of the United States, may eſtabliſh a corporation to manage it—without which we have ſeen, that the regulation cannot be either ſafe or uſeful: The United States will be the proprietor of one tenth of the Bank Stock.

Congreſs may exerciſe excluſive legiſlation in all caſes whatſoever, over the 10 miles ſquare, and the places ceded by the States for arſenals, light-houſes, docks, &c.—Of courſe it may eſtabliſh a Bank in thoſe places, with corporate powers. The bill has not reſtrained the Bank to this city—and if it had, the diſpute would loſe a part of its ſolemnity: If inſtead of principles, it concerns only places, what objection is there to the conſtitutional authority of Congreſs to fix this Bank at Sandy-Hook, or Reedy Iſland, where we have light-houſes, and a right of excluſive legiſlation? A Bank eſtabliſhed there, or in the diſtrict located by law on the Potowmac for the ſeat of government, could ſend its paper all over the Union: It is true, that the places are not the moſt proper for a Bank; but the authority to eſtabliſh it in them, overthrows the argument which is deduced from the definite nature of the powers veſted in Congreſs, and the dangerous tendency of the propoſed conſtruction of them.

The preamble of the conſtitution warrants this remark, that a Bank is not repugnant to the ſpirit and eſſential objects of that inſtrument.

He then conſidered the power to borrow money. He ſaid it was natural to underſtand that authority as it was actually exerciſed in Europe—which is, to borrow of the Bank. He obſerved, the power to borrow, was of narrow uſe, without the inſtitution of a Bank—and in the moſt dangerous criſis of affairs would be a dead letter.

After noticing the power to lay and collect taxes, he adverted to the ſweeping clauſe, as it is uſually called, which empowers Congreſs to exerciſe all powers neceſſary and proper to carry the enumerated powers into execution. He did not pretend that it gives any new powers; but it eſtabliſhed the doctrine of implied powers.—He then demanded whether the power to incorporate a Bank is not fairly relative, and a neceſſary incident to, the entire powers to regulate trade and revenue, and to provide for the public credit and defence.

He entered into a particular anſwer to ſeveral objections, and after recapitulating his argument,

he concluded with obſerving, that we had felt the diſadvantages of the confederation—we adopted the conſtitution expecting to place the national affairs under a federal head: This is a powe which Congreſs only can exercife: We may rea ſon away the whole conſtitution: All nations have their times of adverſity and danger: The neglect of providing againſt them in ſeaſon, may be the cauſe of ruining the country.

*IN SENATE*, Feb. 22. 1791.

RESOLVED by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled, That the Preſident of the United States be requeſted to cauſe to be communicated to the National Aſſembly of France, the peculiar ſenſibility of Congreſs to the tribute paid to the memory of *Benjamin Franklin*, by the enlightened and free repreſentatives of a great nation, in their decree of the 11th of June 1790.

WEDNESDAY, Feb. 23.

*HOUSE of REPRESENTATIVES.*

THE engroſſed bill, ſupplementary to the act, incorporating the ſubſcribers to the bank of the United States, was read a third time, and (the blanks being filled up) was paſſed.

The houſe concurred in a reſolution ſent yeſterday from the Senate, requeſting that the Preſident will communicate to the National Aſſembly of France, the ſenſe which Congreſs entertain of the honor paid by that body to the memory of Benjamin Franklin.

The report of the Secretary of the Treaſury, relative to the grant of further compenſation to the commiſſioners of the loan office, for extraordinary expences, incurred in the execution of the act, making proviſion for the public debt, was read, and referred to a ſelect committee, conſiſting of Meſſrs Williamſon, Partridge, and White.

A meſſage was delivered by Mr. Secretary Otis, informing the houſe, that the Senate had paſſed, with an amendment, the bill giving effect to the laws of the United States, within the ſtate of Vermont; and requeſted the concurrence of the houſe in the ſaid amendment. Mr. Otis further informed the houſe, that the Senate had reſolved, that the bill, authorizing the Preſident to cauſe the debt, due to foreign officers, to be diſcharged, ſhould not paſs to a third reading.

Another meſſage was delivered by Mr. Secretary Otis, informing the houſe, that the Senate inſiſted on their amendment to the revenue bill, and had appointed a committee to confer with a committee of this houſe. Meſſrs Boudinot, White and Livermore were appointed on the part of the houſe.

On motion, it was reſolved, that the report of the ſelect committee, on the Preſident's meſſage of the 14th inſt. be referred to the Secretary of State, and that he be directed to report to Congreſs, the nature and extent of the privileges and reſtrictions of the commercial intercourſe of the United States with foreign nations, and ſuch meaſures, as he ſhall think proper to be adopted for the improvement of the commerce and navigation of the United States.

Mr. Smith, (S.C.) reported a bill, to determine the day of the next meeting of Congreſs; which after a firſt and ſecond reading, was ordered to be engroſſed. *Adjourned.*

THURSDAY, Feb. 24.

Sundry memorials and petitions being preſented, read, and ſeverally referred to the heads of departments—Saturday next was aſſigned for taking into conſideration the reports of committees, and of the Secretaries of the Treaſury, and of War, on petitions referred to them.

The report of the Secretary of the Treaſury, in favor of the petition of William Simmons, was read, and the houſe having agreed to the ſame, appointed Meſſrs. Trumbull, Bourne, and Foſter, a committee, to prepare and bring in a bill in conformity thereto.

Mr. Sherman reported a bill, providing compenſations for the officers of the ſeveral courts of law, and for jurors, and witneſſes; which, after a firſt and ſecond reading, was referred to a committee of the whole houſe to-morrow, and ordered to be printed.

The amendment propoſed by the Senate to the bill giving effect to the laws of the United States within the ſtate of Vermont, was agreed to.

Mr. Bourne, reported a bill, to repeal ſo much of the impoſt law, as rates the Daniſh rix-dollar at 100 cents. Read a firſt time.

The report of the committee, to whom was referred the report of the Secretary of the Treaſury on the ſubject of the exports of the United States, was twice read, the houſe, having agreed to the ſame, ordered that 300 copies of the committee's report, to include that of the Secretary of the Treaſury be printed.

Mr. Floyd from the joint committee on enrolled bills, reported that the committee had this day preſented to the Preſident, for his approbation, the enrolled bill, regulating the number of Repreſentatives to be choſen by the ſtates of Kentucky and Vermont; alſo that they had examined, and found to be duly enrolled, the reſolution of both houſes requeſting the Preſident to communicate to the National Aſſembly of France, the ſenſe which Congreſs entertain of the honor paid by that body to the memory of Dr. Franklin.

Mr. Williamſon reported a bill making compenſations to the commiſſioners of loans, for their extra expences and ſervices, which after a firſt and ſecond reading, was referred to a committee of the whole houſe to-morrow.

On motion of Mr. Lawrance, reſolved, that the Secretary of the Treaſury be directed to report, whether any, and what, additions are to be made to his return of the exports of the United States.

The engroſſed bill, fixing the time for the next annual meeting of Congreſs, was read a third time and paſſed; the blank being filled up with "*the fourth Monday in October next.*"

In committee of the whole, on the bill ſupplementary to the act, eſtabliſhing the Treaſury Department; the committee made ſome amendments, which being agreed to by the houſe, the bill was ordered to be engroſſed, for a third reading.

On motion of Mr. Sedgwick, the memorial of Thomas M'Kean and others, public creditors, was taken up for a ſecond reading; and after ſome debate, the following reſolution, moved by Mr. Sedgwick, was agreed to—53 to 2.

*Reſolved*, That it would be inexpedient to alter the ſyſtem for funding the public debt, eſtabliſhed the laſt ſeſſion of Congreſs; and that the prayer of the petition of Thomas M'Kean, and others, ſtyling themſelves a committee of the public creditors of the commonwealth of Pennſylvania, and alſo of other petitions on that ſubject, cannot be granted.

The Yeas and Nays being called for, were as follow:

YEAS.

Meſſrs Ames, Aſhe, Baldwin, Benſon, Boudinot, Bourne, Brown, Burke, Cadwallader, Clymer, Contee, Fitzſimons, Floyd, Foſter, Gale, Gilman, Goodhue, Griffin, Grout, Giles, Jackſon, Huntington, Lawrance, Lee, Leonard, Livermore, Madiſon, Mathews, Moore, Muhlenberg, Parker, Partridge, Van Renſellaer, Schureman, Sedgwick, Seney, Sherman, Sylveſter, Sinnickſon, Smith (M.) Smith (S. C.) Steele, Stone, Sturges, Sumpter, Thatcher, Trumbull, Tucker, Vining, Wadſworth, White, Wynkoop, Williamſon.

NAYS.

Meſſrs Gerry and Scott.

The houſe again reſolved itſelf into a committee of the whole, on the bill to eſtabliſh the poſt-office and poſt-roads within the United States: The committee debated the ſubject, and roſe without any deciſion.

A meſſage from the Senate was delivered by Mr. Secretary Otis, informing, that the Senate had paſſed the bill, ſent to them, by the Houſe of Repreſentatives, entitled, "An act to explain and amend an act, entitled, an act, making further proviſion for the public debt." *Adjourned.*

*IN SENATE*, Feb. 24, 1791.

The bill, entitled, "an act, ſupplementary to the act, entitled an act, to incorporate the ſubſcribers to the Bank of the United States," was read the ſecond time—and on the queſtion, ſhall this bill paſs to the third reading, the Yeas and Nays were as follow:

YEAS.

Meſſrs Baſſet, Butler, Dalton, Dickinſon, Ellſworth, Elmer, Few, Hawkins, Henry, Johnſon, Johnſton, Izard, King, Langdon, Lee, Maclay, Morris, Read, Schuyler, Stanton, Strong, Wingate.

NAYS.

Meſſrs Carrol, Gunn, Monroe.

FRIDAY, Feb. 25.

*HOUSE of REPRESENTATIVES.*

The engroſſed bill, ſupplemental to the act for eſtabliſhing the Treaſury Department, was read the third time; the blank filled up, and the bill paſſed.

The petition of Jacob Ilaacs, ſtating that he had diſcovered a ſure, cheap, and ſimple method of procuring freſh from ſalt water, and praying the patronage of Congreſs: Read, and referred to the Secretary of State.

An abſtract of ſundry petitions laying on the table, was read, and the petitions referred to the heads of departments.

A memorial of the agent to the owner of two French Packets, praying an exemption from the duty of tonnage on thoſe Packets, incurred in the month of January laſt, for reaſons therein ſtated, was read, and referred to the Secretary of the Treaſury.

Sundry reports were read; one from the Secretary of State on the petition of Ferdinand Weſtfall. Laid on the table.

A report from the Secretary of the Treaſury, concerning certain certificates, iſſued in ſome of the States, ſubſequent to the firſt of January 1790, which was in favor of funding thoſe certificates, under certain regulations, was read and laid on the table.

Another report from the ſame officer was read, reſpecting the loan of three millions of florins, made in Holland, ſtating the terms on which that loan has been effected: The report propoſed an explanation of a clauſe in the act, making proviſion for the reduction of the public debt: And was referred to a ſelect committee, to report a bill or bills purſuant thereto.

A report was alſo received from the Secretary of the Treaſury, on the petition of Meſſrs C. and J. Sands and Co. Read and referred to a ſelect committee, conſiſting of Meſſrs Sedgwick, Williamſon and Benſon.

A meſſage from the Senate by Mr. Secretary Otis, informed the houſe that the Preſident of the United States has given his aſſent to the act for incorporating the ſubſcribers to the Bank of the United States, alſo to the act regulating the number of Repreſentatives for the States of Kentucky and Vermont.

Mr. Boudinot, of the committee of conference on the ſubject of diſagreement between the houſe and ſenate, reſpecting the 61ſt ſection of the Revenue-Bill, brought in a ſpecial report, which had been agreed to by one of the committee of the houſe, and by all the members of the committee on the part of the ſenate. This report was ſuperceded by a vote to conſider the original ſubject of diſagreement.

Mr. Jackſon moved that the houſe ſhould adhere to their diſagreement: This being ſeconded, a queſtion of order roſe. The Speaker gave it as his opinion, that the queſtion to be in order ſhould be, whether the houſe would recede from their diſagreement? An appeal was made from the chair to the houſe—and the queſtion being taken, the houſe decided in favor of the Speaker's opinion.

The motion was then made to recede, in order to agree to the amendment propoſed by the ſpecial report—which was, to limit the whole ſum to be received by the officers to 45,000 dollars.

A debate enſued—The queſtion was finally determined by ayes and noes as follow:

AYES.

Meſſrs. Ames, Benſon, Boudinot, Bourne, Cadwallader, Clymer, Fitzſimons, Foſter, Gale, Gerry, Gilman, Goodhue, Hartley, Huntington, Lawrance, Leonard, Partridge, Schureman, Scot, Sedgwick, Sevier, Sherman, Sinnickſon, Smith, (S. C.) Sturges, Thatcher, Trumbull, Vining, Wadſworth, Wynkoop.—30.

NOES.

Meſſrs. Aſhe, Baldwin, Bloodworth, Brown, Burke, Carrol, Contee, Floyd, Griffin, Grout, Giles, Jackſon, Lee, Livermore, Madiſon, Matthews, Moore, Muhlenberg, Parker, Ranſellaer, Seney, Sylveſter, Smith, (M.) Steele, Stone, Sumpter, Tucker, White, Williamſon.—29.

The bill repealing ſo much of the collection law as rates the Rix Dollar of Denmark at 100 cents was read the ſecond time, and ordered to be engroſſed.

The committee on the report of the Secretary of the Treaſury—brought in a bill ſupplemental to the act providing for the reduction of the public debt—which was read the firſt and ſecond time, and referred to the committee of the whole on Monday next.

On motion of Mr. Smith (S. C.) the committee of the whole houſe was diſcharged from any further conſideration of the poſt-office bill. Adjourned.

## Philadelphia, Feb. 26.

Some perſons have ſuppoſed that the Bank Bill has been ſo long in *dubio*, on account of difficulties reſpecting its conſtitutionality. Whether this was the caſe or not, it is immaterial to enquire. One idea is however obtruded on the mind by the circumſtance, which is truly deſignative of that judgment and prudence which mark the conduct of our Chief Magiſtrate on all occaſions—and that is, that ſo much attention at leaſt was due to the ſentiments of a reſpectable minority who ſuppoſed the bill to be unconſtitutional, as to give the ſubject as full a conſideration as the time limitted by the conſtitution would allow.

All the votes taken at the election for repreſentatives to Congreſs in the ſtate of New-Jerſey have been received, by which it appears that *Abraham Clark*, *Jonathan Dayton*, *Elias Boudinot* and *Aaron Kitchell*, Eſqrs. are duly elected.

The number of white inhabitants within the ſtate of South-Carolina, as reported to the legiſlature, is 126,131.


PHILADELPHIA, February 24th, 1791.

PROPOSALS

FOR PRINTING BY SUBSCRIPTION, A

COLLECTION of STATE PAPERS,

INTENDED AS MATERIALS FOR

AN HISTORY OF THE UNITED STATES OF AMERICA.

*By EBENEZER HAZARD, A. M.*

IN this collection will be contained the CHARTERS of the ſeveral ſtates which now compoſe the UNION;—the Records of the UNITED COLONIES of NEW-ENGLAND;—Royal Inſtructions to COLONIAL GOVERNORS;—EXTRACTS from PUBLIC RECORDS;—and other authentic Documents tending to elucidate our Hiſtory.

The deſign of this compilation was intimated to Congreſs, and honored with their approbation.—On the 20th July, 1778, their committee, to whom his memorial was referred, reported it as their "Opinion, that Mr. *Hazard's* undertaking is laudable and deſerves the public patronage and encouragement, as being productive of public utility;" Whereupon they "Reſolved, That it be recommended to the Governors, Preſidents, and Executive Powers of the ſeveral ſtates in the union, to aſſiſt Mr. *Hazard*, and give facility to his labors; and that for this purpoſe he be admitted to an inſpection of public records, and be furniſhed without expence with copies of ſuch papers as he may judge will conduce to the valuable end he hath in view.

He was, of conſequence, admitted to the inſpection and uſe both of public records, and the collections made by individuals, from whence this compilation (much the largeſt he has ever met with on the ſubject, and, he flatters himſelf, the largeſt ever made in America) was formed. It has ſince met the approbation of many eminent characters, and even in its manuſcript ſtate, has facilitated the ſettlement of ſome important controverſies.

The compiler cannot ſuppreſs the following letter from the honorable the Secretary of State, to whoſe inſpection part of the compilation was ſubmitted, as it contains ſo flattering and reſpectable a teſtimony in favor of the importance of the work.

"*Philadelphia, February* 18, 1791.

*SIR,*

*I return you the two volumes of Records, with thanks for the opportunity of looking into them:—they are curious Monuments of the Infancy of our country. I learn with great ſatisfaction that you are about committing to the Preſs the valuable Hiſtorical and State Papers you have been ſo long collecting. Time and accident are committing daily havoc on the originals depoſited in our public offices: the late war has done the work of centuries in this buſineſs: the loſt cannot be recovered; but let us ſave what remains; not by vaults and locks, which fence them from the public eye and uſe in conſigning them to the waſte of time, but by ſuch a multiplication of copies as ſhall place them beyond the reach of accident; this being the tendency of your undertaking, be aſſured there is no one who wiſhes it a more complete ſucceſs than*

*SIR,*

*Your moſt obedient and moſt humble Servant,*

THOMAS JEFFERSON."

MR. HAZARD.

CONDITIONS.

I. The Work to be publiſhed in numbers, each containing 160 pages, large quarto:—A number to be delivered every three months.

II. On delivery of the firſt Number, payment to be made for the firſt and ſecond, and afterwards for each Number as delivered (except the laſt) ſo that the price of one Number will be conſtantly in advance. The very great expence attending ſo large a work, at the ſame time that it renders this condition abſolutely neceſſary, will be a ſufficient apology to the candid for its inſertion.

III. The price to Subſcribers will be *one Dollar* for each number. It is ſuppoſed that the Work will probably be comprized in eight Numbers, forming two handſome Volumes, in large quarto, printed on a neat Type and good paper.

IV. To thoſe who chooſe to ſubſcribe for the Work in *Volumes*, the price will be *Four Dollars and a Quarter of a Dollar*, for each Volume, in boards.

V. The collection will be put to the Preſs as ſoon as there ſhall be a ſufficient number of ſubſcriptions to juſtify an hope that the expences will be defrayed.

☞ *Thoſe who receive Subſcriptions* will pleaſe *tranſmit accounts of the numbers obtained to* Thomas Dobſon, *No.* 41, *Second-ſtreet, Philadelphia, by the firſt of May next.*

SUBSCRIPTIONS will be received in Portſmouth, (N. H) by Jeremiah Libbey; Boſton, Thomas & Andrews; Worceſter, Iſaiah Thomas; Hartford, Thomas Hildrup; New-Haven, Iſaac Beers; New-London, Timothy Green; Newport, (R. I.) Jacob Richardſon; Providence, John Carter; New-York, Hodge, Allen & Campbell; Albany, Abraham G. Lanſing; Philadelphia, Thomas Dobſon, and Hazard & Addoms; Wilmington, (Delaware) Frederick Craig; Baltimore, I. Holmes; Alexandria, Joſhua Merriman; Norfolk, Mr. Lindſey; Fredericksburgh, Callender and Henderſon; Peterſburgh, John Grammer; Richmond, Auguſtine Davis; Newbern, (N. C.) F. X. Martin; Wilmington, John Bradley; Charleſton, (S. C.) William P. Young.

A Negro Man eloped.

RAN away from his owner about the 25th Jan. laſt, CÆSAR, a negro man, country born, noted as a preacher among the blacks, 30 years of age, about 5 feet 7 inches high—thick, well ſet; had on a brown cloth coat, light cloth jacket, leather breeches, and coarſe wilton ſtockings.—He alſo had a tow linen frock with him; and wore a ſmall round hat. He is ſuppoſed to be gone to Virginia, as his father lives on Dr. Vandeveer's plantation, in that State. Whoever will take up ſaid negro, and ſecure him in the gaol of Philadelphia, or of Trenton, and give notice thereof to the ſubſcriber living in Bound-Brook, New-Jerſey, ſhall receive Twelve Dollars reward, and all neceſſary charges.

HUGH ROWAN.

PUBLIC NOTICE.

*Somerſet County*, ſſ.

BY virtue of a writ of *fieri facias* to me directed, againſt the goods and chattels, lands and tenements of CHRISTOPHER BEEKMAN, I have levied on, and ſeized that valuable houſe and lot of land, ſituate on the north ſide of the Main Street, in Princeton, now in poſſeſſion of Adam Shaw, and known by ſign of the College; it is an excellent ſtand for a public houſe, and has been occupied in that way for many years. All the above mentioned premiſes will be expoſed to ſale, on Thurſday the tenth day of March next, between the hours of twelve and five in the afternoon of ſaid day, of which all perſons concerned will pleaſe take notice. WILLIAM WALLACE, *Sheriff.*

*Weſtern Precinct*, 18*th February*, 1791.


*PRICE CURRENT.*——PUBLIC SECURITIES.

| | | | |
|---|---|---|---|
| FUNDED DEBT. | | | |
| 6 pr. Cents | 17/3 pr. £ | 86¼ | pr. cent. |
| 3 pr. Cents | 9/ 9/2 | 46 | do. |
| Defered 6 pr. Cents | 9/2. | 46 | do. |
| UNFUNDED DEBT. | | | |
| Final Settl. and other Certificates | 15/9 16/. | 80 | do. |
| Indents | 9/ 9/2 | 46 | do. |
| N. and S. Carolina debts, | 12/6 | 62½ | do. |

## Report of the Secretary of the Treasury, on the subject of a MINT.

(CONTINUED.)

IT is evident, alſo, that the nation muſt pay as much gold and ſilver as before, for the commodities which it procures *abroad*; and whether it obtains this gold and ſilver cheaper, or not, turns upon the ſolution of the queſtion juſt intimated, reſpecting the relative proportion of active commerce, between the two countries.

Beſides theſe conſiderations, it is admitted in the reaſoning, that the advantages ſuppoſed, which depend on a favorable balance of trade, have a tendency to affect that balance diſadvantageouſly. Foreigners, it is allowed, will in this caſe, ſeek ſome other vent for their commodities, and ſome other market, where they can ſupply their wants at an eaſier rate. A tendency of this kind, if real, would be a ſufficient objection to the regulation. Nothing which contributes to change a beneficial current of trade, can well compenſate, by particular advantages, for ſo injurious an effect. It is far more eaſy to transfer trade, from a leſs to a more favorable channel, than when once transferred, to bring it back to its old one. Every ſource of artificial interruption to an advantageous current is, therefore, cautiouſly to be avoided.

It merits attention, that the able miniſter, who lately and ſo long preſided over the finances of France, does not attribute to the duty of coinage, in that country, any particular advantages, in relation to exchange and trade. Though he rather appears an advocate for it, 'tis on the ſole ground of the revenue it affords, which he repreſents, as in the nature of a very moderate duty on the general maſs of exportation.

And it is not improbable, that to the ſingular felicity of ſituation of that kingdom, is to be attributed its not having been ſenſible of the evils which ſeem incident to the regulation. There is perhaps no part of Europe, which has ſo little need of other countries, as France. Comprehending a variety of ſoils and climates, an immenſe population, its agriculture in a ſtate of mature improvement, it poſſeſſes within its own boſom, moſt, if not all the productions of the earth, which any of its moſt favored neighbors can boaſt. The variety, abundance and excellence of its wines, conſtitute a peculiar advantage in its favor. Arts and manufactures are there alſo in a very advanced ſtate—ſome of them of conſiderable importance, in higher perfection than elſewhere. Its contiguity to Spain, the intimate nature of its connection with that country; a country with few fabrics of its own, conſequently numerous wants, and the principal receptacle of the treaſures of the new world. Theſe circumſtances concur, in ſecuring to France, ſo uniform, and ſo conſiderable a balance of trade, as in a great meaſure to counteract the natural tendency of any errors, which may exiſt in the ſyſtem of a mint; and to render inferences from the operation of that ſyſtem there, in reference to this country, more liable to miſlead than to inſtruct. Nor ought it to paſs unnoticed, that with all theſe advantages, the government of France has found it neceſſary, on ſome occaſions, to employ very violent methods to compel the bringing of bullion to the mint; a circumſtance, which affords a ſtrong preſumption of the inexpediency of the regulation, and of the impracticability of executing it in the United States.

This point has been the longer dwelt upon, not only becauſe there is a diverſity of opinion among ſpeculative men concerning it, and a diverſity in the practice of the moſt conſiderable commercial nations; but becauſe the acts of our own government, under the confederation, have not only admitted the expediency of defraying the expence of coinage out of the metals themſelves; but upon this idea have both made a deduction from the weight of the coins, and eſtabliſhed a difference between their regulated value and the mint price of bullion greater than would reſult from that deduction. This double operation in favor of a principle ſo queſtionable in itſelf, has made a more particular inveſtigation of it a duty.

The intention, however, of the preceeding remarks, is rather to ſhew that the expectation of commercial advantages ought not to decide in favor of a duty of coinage, and that if it ſhould be adopted, it ought not to be in the form of a deduction from the intrinſic value of the coins—than abſolutely to exclude the idea of any difference whatever, between the value of the metals in coin and in bullion. It is not clearly diſcerned, that a ſmall difference between the mint price of bullion, and the regulated value of the coins, would be pernicious, or that it might not even be adviſable, in the firſt inſtance, by way of experiment, merely as a preventative to the melting down and exportation of the coins. This will now be ſomewhat more particularly conſidered.

The arguments for a coinage, entirely free, are, that it preſerves the intrinſic value of the metals; that it makes the expence of fabrication a general inſtead of a partial tax; and that it tends to promote the abundance of gold and ſilver, which it is alledged will flow to that place, where they find the beſt price, and from that place, where they are in any degree undervalued.

The firſt conſideration has not much weight, as an objection to a plan, which, without diminiſhing the quantity of metals, in the coins, merely allows a leſs price for them in the bullion at the national factory or mint. No rule of intrinſic value is violated, by conſidering the raw materials, as worth leſs than the fabric, in proportion to the expence of fabrication. And by diveſting foreign coins of the privilege of circulating as money, they become the raw material.

The ſecond conſideration has perhaps greater weight. But it may not amount to an objection, if it be the beſt method of preventing diſorders in the coins, which it is in a particular manner the intereſt of thoſe, on whom the tax would fall, to prevent. The practice of taking gold by weight, which has of late years obtained in Great-Britain, has been found, in ſome degree, a remedy; but this is inconvenient, and may on that account fall into diſuſe. Another circumſtance has made a remedial operation. This is, the delays of the mint. It appears to be the practice there, not to make payment for the bullion, which is brought to be exchanged for coin, till it either has in fact, or is pretended to have undergone the proceſs of recoining.

[*To be continued.*]

---

"PHILADELPHIA, Feb. 25."

*Extract of a letter from a gentleman in Edinburgh, to his friend in this city, dated 2d Oct.* 1790.

"BY ſome American papers I find that a National Univerſity is in agitation. In my poor judgment the meaſure will be dangerous. Privileges, in time, may be annexed to ſtudy in that Univerſity, which cannot be gained by ſtudying in any other. Opportunities may preſent for filling vacant Profeſſorſhips, ſo as may ſubſerve the deſigns of ſome future ambitious Preſident. Theſe, in the firſt ſeats of government, inſtigated by principles too common, may wiſh to extend their own power, and to abridge the liberty of the ſubject. Many Profeſſors in Scotland, otherwiſe of diſtinguiſhed abilities, have diſcovered how zealous they were for principles, which, if carried their juſt length, would condemn the revolution of 1688, in their prelections and publications: eſpecially thoſe occaſioned by the American war. Drs. Campbell and Gerard, of Aberdeen, and Profeſſor Ferguſon, of Edinburgh, who, in his hiſtory, endeavors to varniſh over Sylla's cruelties, are not the only inſtances. Men who boaſt of free-thinking and liberality of ſentiment, thought it no inconſiſtency with this to maintain Britain's right of enſlaving America. But a Dunbar at Aberdeen, and a Millar at Glaſgow dared to publiſh a juſter ſtate of the natural and unalienable rights of mankind.

"Some years ago the College of Glaſgow expelled ſeveral Students for daring to find fault with their meaſures, and carried their perſecution againſt one of them ſo far, that they hindered his being licenſed till he had made ſome humiliating acknowledgments. An attempt was made ſome years before this, to veſt in the Engliſh Univerſities an excluſive right of printing certain books. The conſequence would have been that the moſt uſeful hiſtories and political tracts, if they happened not to ſuit the taſte of a Prince, or Prime Miniſter, would not have been re-printed. But where different States have each their own college, the employing them for thus perverting and poiſoning youth would be an unſucceſsful attempt. Beſides, when you have five or ſix colleges, if you have good libraries and philoſophical apparatuses, and prefer to profeſſorſhips the beſt men you can find, a ſpirit of emulation, highly favorable to the advancement of learning would be excited and cheriſhed. Learning would never have ſpread as it once did in Greece, had the States, in the time of their greateſt union, erected a common Academy. At one time Wurtenburg, at another Halle, at another Leipzig, has been the moſt flouriſhing German Univerſity. One man of diſtinguiſhed merit in philoſophy, belles lettres, medicine, law, divinity, draws ſcholars from the moſt diſtant parts of Germany. A number of ſmall States, having the ſame language, tho differing in internal government and police, from theſe inſtances appear to me to have the higheſt advantages for improvements in arts and ſciences, if they are not retarded in the purſuit of perfection by the proud idea that they have already attained it. This is the caſe with the agreeable and courteous, but indolent and luxurious inhabitants of Vienna, that metropolis of the hereditary dominions, and they fancy alſo not only the metropolis of Germany, but the moſt knowing, cultivated, and improved city there: In fact the reverſe is the caſe. There is hardly any proteſtant city there, which they fall not far ſhort of; but, the progreſs of ſcience in other parts of the empire they know not, their beſt books having till lately been contraband goods. Educated by Jeſuits, they counted the ſuperficial knowledge imported to them by the ghoſtly fathers, the very *ne plus ultra* of ſcience. From paſſages in ſome American papers, I apprehend that the States are in ſome danger, from a ſimilar cauſe, of not improving, as they ought, their great natural talents, and high advantages for improvements in learning. I am ſorry ſome men of abilities among you ſpeak with ſo unjuſt contempt of acquaintance with the claſſics: To this the fineſt Britiſh writers owe a great portion of their excellence."

---

# LAWS OF THE UNION.

## CONGRESS OF THE UNITED STATES:

AT THE THIRD SESSION,

Begun and held at the City of Philadelphia, on Monday the ſixth of December, one thouſand ſeven hundred and ninety.

### AN ACT for the admiſſion of the State of VERMONT into this Union.

THE State of Vermont having petitioned the Congreſs to be admitted a Member of the United States—

Be it enacted by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled, and it is hereby enacted and declared, That, on the Fourth day of March, one thouſand ſeven hundred and ninety-one, the ſaid State, by the name and ſtyle of "The State of Vermont," ſhall be received and admitted into the Union, as a new and entire Member of the United States of America.

FREDERICK AUGUSTUS MUHLENBERG,
*Speaker of the Houſe of Repreſentatives.*
JOHN ADAMS, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, FEBRUARY EIGHTEENTH, 1791.
GEORGE WASHINGTON, *Preſident of the United States*
(TRUE COPY)
THOMAS JEFFERSON, *Secretary of State.*

### AN ACT to continue in force for a limited time, an act paſſed at the firſt ſeſſion of Congreſs, entituled, "an act to regulate proceſſes in the courts of the United States."

BE it enacted by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled, That an act paſſed on the twenty-ninth day of September, in the year one thouſand ſeven hundred and eighty-nine, entitled, "an act to regulate proceſſes in the courts of the United States," ſhall be, and the ſame hereby is continued in force until the end of the next ſeſſion of Congreſs, and no longer.

FREDERICK AUGUSTUS MUHLENBERG,
*Speaker of the Houſe of Repreſentatives,*
JOHN ADAMS, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, FEBRUARY EIGHTEENTH, 1791.
GEORGE WASHINGTON, *Preſident of the United States.*
(TRUE COPY.)
THOMAS JEFFERSON, *Secretary of State.*

---

RESOLVED, *by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled*, That ANDREW BROWN, or any other printer, be permitted, under the direction of the Secretary of State, to collate with, and correct by the original rolls, the laws, reſolutions and treaties of the United States, ſo be by him printed. And that a certificate of their having been ſo collated and corrected, be annexed to the ſaid edition. *Provided*, That ſuch collation and correction be at the expence of the ſaid Andrew Brown, or ſuch other printer, and that the perſon or perſons to be by him or them employed in that ſervice, be approved by the Secretary of State.

FREDERICK AUGUSTUS MUHLENBERG,
*Speaker of the Houſe of Repreſentatives.*
JOHN ADAMS, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, FEBRUARY THE EIGHTEENTH, 1791.
GEORGE WASHINGTON, *Preſident of the United States.*

---

*PRICE CURRENT.——PHILADELPHIA.*

PER QUANTITY.

*FEBRUARY* 25.—DOLLARS at 6/.

| | | | |
|---|---|---|---|
| ANCHORS | pr. lb. | 6¾d | |
| Allum, Engliſh, | pr. cwt. | 36s | |
| Ditto, Roch | pr. lb. | 10d | |
| Aſhes, pot, | per ton, | 35 a 37/10s | |
| Arrack | pr. gall. | 10s 12s 6d | |
| Brandy, common, | | 7s 6d | |
| ——Cogniac | | 8s 4d | |
| Braziletto, | pr. ton. | 12l a 16l | |
| Bricks | pr. M | 30s | |
| Bread, ſhip | pr. cwt. | 19s 6 | |
| Ditto, pilot | | 35s | |
| Ditto, ſmall water | | 45s 50s | |
| Beer, American, in bot. | pr. doz. | 8s 4d | |
| —— | pr. bbl. | 30s | |
| BOARDS: Oak | pr. M feet, | 4/10s 4/18s | |
| BOARDS: Merch. pine | | 4/10s 4/15s | |
| BOARDS: Sap, do. | | 2l: 7s 6d 3l | |
| BOARDS: ——N. Eng. | | 2/5s 2/7s 6d | |
| BOARDS: Cedar | | 4l 4l 5s | |
| *The above are the Shallop prices; for the Yard prices add 15s pr M.* | | | |
| Brimſtone in rolls | pr. cwt. | 24s | |
| BEEF: Iriſh | pr. bbl. | 55s 60s | |
| BEEF: Boſton | | 55s | |
| BEEF: Country | | 45s | |
| Butter | pr. lb. | 10d 12d | |
| ——in kegs | | 10d | |
| Cedar, red timber | pr. foot | 2s 2s 6d | |
| Chocolate | pr. lb. | 10d | |
| Coal | pr. buſhel | 1s 8d | |
| Coffee | pr. lb. | 11 2d | |
| Cinnamon | | 18s 20s | |
| Caſſia | | 5s | |
| Cheeſe, Engliſh | | 1s 3d | |
| ——— Country | | 6d 7½d | |
| CANDLES: Sper. | pr. lb. | 3s 3d 3s 6d | |
| CANDLES: Wax | | 3s | |
| CANDLES: Myrtle Wax | | 1s 2d | |
| CANDLES: Mould, tallow | | 11d 12d | |
| CANDLES: Dipped | | 10d | |
| Cotton | | 1s 4d 1s 8d | |
| Currants | | 1s 6 2s | |
| Cloves | | 12s | |
| Copperas | pr. cwt. | 15s 17s 6d | |
| Cordage | | 60s 62s 6d | |
| Cocoa | | 62s 6d 67s 6d | |
| Duck, Ruſſia, | pr. piece | 80s 83s | |
| ——Ravens | | 65s 70s | |
| Flour, Superfine, | pr. bbl. | 45s | |
| ——Common, | | 42s | |
| ——Bur middlings, | beſt | 35s | |
| ——Middlings | | 34s | |
| ——Ship-ſtuff | pr. cwt. | 12s 15s | |
| Flax | pr. lb. | 8d 9d | |
| Fuſtic | pr. ton, | 135s 150s | |
| Feathers | pr. lb. | 2s 4d | |
| Flaxſeed | pr. buſh. | 5s 3d | |
| Glue, | pr. cwt. | 7l 10s 8l | |
| Ginger, white race | | 52s 6d | |
| Ditto, common | | 50s | |
| Ditto, ground | pr. lb. | 1s | |
| Ginſeng, | | 2s | |
| Gunpowder, cannon, | pr. quarter caſk, | 30s | |
| Ditto, fine glazed | | 37s 6d | |
| Gin, Holland, | pr. gall. | 5s | |
| Do. | pr. caſe, | 30s 33s | |
| GRAIN: Wheat | pr. buſh | 8s 8d 6s | |
| GRAIN: Rye | | 5s | |
| GRAIN: Oats | | 1s 8d 2s 6d | |
| GRAIN: Indian corn | | 2s 6d 3s | |
| GRAIN: Barley | | 4s 9d | |
| GRAIN: ——Beſt ſhelled | | 20s | |
| GRAIN: Buckwheat | | 2s 6 | |
| Hams | pr. lb. | 7d 8d | |
| Hemp, | pr. ton, | 50l 56l | |
| Hogſhead hoops, | pr. M | 5l 6l | |
| Herrings, | pr. bbl. | 20s | |
| Hides, raw | pr. lb. | 9d 10d | |
| Hops | | 2s 3d 2s 6d | |
| Indigo, French, | | 7s 6d 12s | |
| ——Carolina | | 4s 7s 6d | |
| Irons, ſad | pr. cwt. | 56s | |
| IRON: Caſtings | | 22s 6d 30s | |
| IRON: Bar | pr. ton, | 29l 30l | |
| IRON: Pig | | 10l | |
| IRON: Sheet | | 60l 65l | |
| IRON: Nail rods | | 36l | |
| Junk, | pr. cwt. | 27s 35s | |
| Lard, hogs | | 9d 10d | |
| Lead in pigs | | 40s 42s 6d | |
| ——in bars | | 45s 50s | |
| Lead, white | | 80s 85s | |
| ——red | | 49s 6d | |
| Leather, ſoal | pr. lb. | 1s 2d 1s 4d | |
| Lignum vitæ | pr. ton | 42s 45s | |
| Logwood | | 7l 5s 8l | |
| Meal, Indian, | pr. bbl. | 19s | |
| ——Rye | | 28s | |
| Mackarel, beſt | | 63s | |
| ——Common | | 30s 58s 6d | |
| Mace | pr. lb. | 70s | |
| Muſtard | | 2s 4d | |
| Madder, beſt | | 1s 8d 1s 9d | |
| Molaſſes | pr. gall. | 2s 8d | |
| Marble, wrought, | pr. foot, | 13s | |
| Maſt ſpars | | 6s | |
| Mahogany | | 8d 12d | |
| Nutmegs | pr. lb. | 60s 75s | |
| Nails, 10d 12d & 20d— 8d 8½d 9d | | | |
| OIL: Linſeed, | pr. gall. | 3s 9d | |
| OIL: Train | | 1s 10d 2s | |
| OIL: Spermaceti | | 3s 7d | |
| OIL: Whale | | 1s 10d 2s | |
| OIL: Olive | | 6s 6d | |
| OIL: Ditto | pr. caſe | 28s 30s | |
| OIL: Beſt ſweet in flaſks. | pr. box, | 52s 6d 60s | |
| OIL: —baſkets 12 bottles | | 28s | |
| Oak timber | pr. ton | 40s | |
| Porter in caſks, | pr. gall. | 2s | |
| ——London, | pr. doz. | 12s 6d 15s | |
| Porter, American | pr. doz. | 12s | |
| Pitch, | pr. bbl. | 10s | |
| Pork, Burlington, | | 27s 6 | |
| ——Lower county | | 70s 85s | |
| ——Carolina | | 60s | |
| Peas, Albany | | 7s 6d 8s 4d | |
| Pepper, | pr. lb. | 2s 0d | |
| Pimento | | 1s 6d | |
| Rice | pr. cwt. | 22s | |
| Roſin | pr. bbl. | 25s | |
| Raiſins, beſt, | pr. keg | 55s | |
| Ditto | pr. jar | 32s | |
| Ditto | pr. box | 35s | |
| RUM: Jamaica | pr. gall. | 5s 6d | |
| RUM: Antigua | | 5s | |
| RUM: Windward | | 4s 6d | |
| RUM: Barbadoes | | 4s 4s 4d | |
| RUM: Country, N. E. | | 3s 3s 1d | |
| RUM: Taffia | | 2s 4d 2s 6d | |
| Saſſafras | pr. ton | 45s 60s | |
| Salt petre, | pr. cwt. | 6l 10s | |
| Sulphur, flour | | 40s 41s | |
| Shot | | 50s | |
| STEEL: German | pr. cwt. | 60s 70s | |
| STEEL: Engliſh, bliſtered | | 82s 6d | |
| STEEL: American | pr. ton | 40l 60l | |
| STEEL: Crowley's | pr. ſag. | 4l 10s | |
| Snake root | pr. lb. | 1s 6d 2s 8d | |
| Soap, Common | | 5d 6d | |
| ——Brown | | 6d | |
| ——Caſtile | | 8d 9d | |
| Starch | | 7½d | |
| Snuff | | 1s 6d 2s 4d 3s 6d | |
| Spermaceti, refined, | | 3s | |
| Sail Cloth, Engliſh, | pr. yard, | 1s 6d 2s 2d | |
| ——Boſton, No. I. | | 2s 3d | |
| ——— No. II. | | 2s 2d | |
| ——Ruſſia ſheeting, | pr. p. | 90s | |
| SUGAR: Lump, | pr. lb. | 1s 5d | |
| SUGAR: Loaf, ſingle refined | | 1s 6d | |
| SUGAR: Ditto, double do. | | 1s 10½d | |
| SUGAR: Havannah, white | | 11d | |
| SUGAR: Ditto, brown, | | 8d 10d | |
| SUGAR: Muſcovada, | pr. cwt. | 75s | |
| Spirits Turpentine | pr. gall. | 3s 9d | |
| SALT: Allum | pr. buſh. | 2s 2s 3d | |
| SALT: Liverpool | | 2s 4d | |
| SALT: Cadiz | | 2s | |
| SALT: Liſbon | | 2s 4d 2s 6d | |
| Ship build. W.O. frames | p. ton, | 80s 90s | |
| Do. I.O. & red C. do. | | 6l 6l 5s | |
| Shingles, ſhort, | p. M. | 15s 20s | |
| ——long dreſſed | | 90s 100s | |
| Scantling, heart, | | 90s 150s | |
| ——Sap | | 42s 45s | |
| STAVES: Pipe | pr. 1200 pieces | 12l | |
| STAVES: W. O. hogſhead | | 7l 5s | |
| STAVES: R. O. do. | | 5l 5s | |
| STAVES: Leogan | | 5l 15s | |
| STAVES: Barrel | | 4l 15s | |
| STAVES: Heading | | 8l 10s | |
| SKINS: Otter, beſt | pr. piece | 30s | |
| SKINS: Minks | | 1s 6d 3s | |
| SKINS: Fox, grey | | 2s 6d 6s | |
| SKINS: ——red | | 6s 7s 6d | |
| SKINS: Martins | | 3s | |
| SKINS: Fiſhers | | 2s 6d 5s | |
| SKINS: Bears | | 12s 6d 25s | |
| SKINS: Racoons | | 2s 4s | |
| SKINS: Muſk-rats | | 9d 1s 6d | |
| SKINS: Beaver, | pr. lb. | 5s 10s | |
| SKINS: Deer, in hair | | 1s 6d 2s 3d | |
| Tar, N. Jerſey, 24 gal. | p. bbl. | 9s | |
| ——Carolina, 32 gall. | | 13s 6d | |
| Turpentine | | 17s 6d | |
| ——Spirits, | pr. gall. | 3s 9d | |
| TOBACCO, 100lb. James R. new beſt | | 32s 6d | |
| TOBACCO, 100lb. ———inferior | | 23s 25s | |
| TOBACCO, 100lb. ———old | | 35s 38s | |
| TOBACCO, 100lb. Rappahannock | | 22s 6d | |
| TOBACCO, 100lb. Colo. Maryland | | 40s 60s | |
| TOBACCO, 100lb. Dark | | 20s | |
| TOBACCO, 100lb. Long-leaf | | 20s | |
| TOBACCO, 100lb. Eaſtern-ſhore | | 15s 16s | |
| TOBACCO, 100lb. Carolina, new | | 23s 25s | |
| TOBACCO, 100lb. ———old | | 30s | |
| TEAS: Hyſon | pr. lb. | 7s 8s 4d | |
| TEAS: Hyſon ſkin, | | 4s 4s 6d | |
| TEAS: Souchong, beſt | | 7s 6d 8s | |
| TEAS: Congo, | | 3s 4d 3s 9d | |
| TEAS: Bohea, | | 2s 6d | |
| Tallow, refined | | 9d | |
| Tin | pr. box, | 110s 112s 6d | |
| Verdigreaſe | pr. lb. | 4s 4s 6d | |
| Vermillion, | | 11s 3d | |
| Varniſh, | | 2s 2s 3d | |
| WINE: Madeira, | pr. pipe | 40l 80l | |
| WINE: Liſbon | | 38l | |
| WINE: Teneriffe | | 22l 10s 24l | |
| WINE: Fayal | pr. gall. | 3s 1d 3s 3d | |
| WINE: Port | pr. pipe | 39l 42l | |
| WINE: Ditto | pr. gall. | 5s 10d | |
| WINE: Do. in bottles, | pr. doz. | 30s | |
| WINE: Claret | | 30s 45s | |
| WINE: Sherry | pr. gall. | 6s 9d 9s | |
| WINE: Malaga | | 4s 6s | |
| Wax, Bees | pr. lb. | 2s 2s 2d | |
| Whale-bone, long | pr. lb. | 2s 3d | |
| ———ſhort, | pr. lb. | 1s | |

*COURSE OF EXCHANGE.*

| | | |
|---|---|---|
| Bills of Exchange, London, | 90 days, | 70 |
| Ditto | 60 days | 72½ |
| Ditto | 30 days | 74 |
| Amſterdam, | 60 days, pr. guilder, | 2s 11 3f |
| | 30 days | 3s 1d |
| France, | 60 days, pr. 5 liv. | 6s 8d |
| | 30 days | 6s 10d |